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EXAMINER

DAO, THUY CHAN

ART UNIT	PAPER NUMBER
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2192

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/630,959

Applicant(s)

BERGMAN ET AL.

Examiner

Thuy Dao

Art Unit

2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 June 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)         | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This action is responsive to the amendment filed on March 7, 2007.
2. Claims 1-34 have been examined.

### **Response to Amendments**

3. Per Applicants' request, claims 1, 20, and 26 have been amended.

### **Drawings**

4. The drawings are objected to because minor informalities: hand-written text in Figures 1-4.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### **Specification**

5. The disclosure is objected to because of the following informalities: pages 19-20 have small text font size.

Appropriate correction is required.

### Response to Arguments

6. The Applicants are thanked for a thorough reply. Applicants' arguments have been fully considered. However, they are not persuasive.

a) Claims 1-9 and 26-29 are rejected as being anticipated by Horvitz, US Patent No. 6,260,035. The examiner respectfully disagrees with Applicants' arguments in Remarks, pp. 8-9.

Horvitz explicitly discloses *generating a reusable executable procedure by:*

*processing said aligned execution traces to create a reusable executable procedure associated with said procedure (e.g., FIG. 2, block 50 Identify basic functionality ..., block 52 Build a model for the task of providing intelligent assistance ..., block 56 Identify atomic event(s) of user action(s) ..., block 66 Construct an inference engine ... to determine user assistance ..., col.7: 29 - col.8: 6, emphasis added);*

*wherein said procedure can be automatically performed by invoking the reusable executable procedure (e.g., FIG. 12, blocks 154-156, ...a customized tutorial was prepared for the user to run or print, col.18: 35-52; and*

*FIG. 14, Utility function 177 includes Acquire Information 182, Give Advice 179, and Execute Actions 180, col.20: 49-61, emphasis added).*

Accordingly, Applicants' arguments are not persuasive. The examiner respectfully maintains ground of rejection over claims 1-9 and 26-29.

Furthermore, the examiner establishes new grounds of rejection over the amended independent claims 1, 20, and 26 (see paragraphs 8 and 9).

b) Claims 1, 10, 20, 26, and 30 are rejected as being anticipated by Mayuzumi US Patent No. 6,134,644 (Remarks, pp. 9-12).

**Claims 1, 20, and 26:** these claims have been amended. After further consideration, the examiner drops the rejection of these claims as being anticipated by Mayuzumi, thus the Applicants' arguments are moot.

**Claims 10 and 30 (original):**

The examiner respectfully disagrees with Applicants' arguments.

As an initial matter, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "... a '*reusable executable procedure*' within the context of the claimed inventions", Remarks, page 11, lines 4-5, emphasis added) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

The Applicants asserted, "In this regard, the process flow are not automatically executed as part of a reusable executable procedure, but are merely dynamically generated based on one or more events ..." (Remarks, page 11, lines 14-16).

The examiner respectfully disagrees with these assertions.

Mayuzumi explicitly discloses FIG. 16 is "*a procedure of a control process carried out by the multi-media control unit 47 ...*" (col.20: 9-12, i.e., the multi-media control unit 47 automatically executes said control process and what steps/process-flow being displayed in said FIG.16, they have been already executed, emphasis added).

Furthermore, claim 10, lines 5-6, recites "*relinquishing control of execution of said reusable procedure to a user, when a next step of said reusable executable procedure cannot be successfully executed*". That is to say the procedure of claim 10 is also merely dynamically generated based on one or more events (i.e., when the next step unable to successfully execute, relinquish control of execution to a user, emphasis added).

Accordingly, per the plain language of claims 10 and 30, Mayuzumi fully discloses:

*launching a reusable executable procedure* (e.g., FIG. 16, col.20: 15-29; wherein FIG. 16 shows "*a procedure of a control process carried out by the multi-media control unit 47 ...*", col.20: 9-12, emphasis added);

*automatically executing procedure steps associated with said reusable executable procedure (e.g., FIG. 16, the multi-media control unit 47 automatically carries out the procedure of said control process, S13-S17, col.20: 27: 60); and*  
*relinquishing control of execution of said reusable procedure to a user, when a next step of said reusable executable procedure cannot be successfully executed (e.g., FIG. 16, S18, Are all troubles recovered? NO, and S19, Is there a click for a screen not in the gray-colored display?, col.21: 1-17, emphasis added).*

Accordingly, Applicants' arguments are not persuasive. The examiner respectfully maintains ground of rejection over claims 10 and 30.

c) Claims **10-19** and **30-34** are rejected as being unpatentable over Horvitz in view of Harel, US Patent No. 6,384,743 and claims **20-25** are rejected as being unpatentable over Horvitz in view of Sullivan, US Patent No. 6,615,240 (Remarks, pp. 12-13).

As set forth in **a)** above, Horvitz fully discloses the recited limitations. The examiner respectfully maintains ground of rejection over claims 10-19, 30-34, and 20-25.

### **Claim Rejections – 35 USC § 102**

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1, 20, and 26 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No. 7,000,187 to Messinger et al. (art made of record, hereinafter "Messinger").

**Claim 1:**

Messinger discloses *a computer implemented method for generating a reusable executable procedure, comprising the steps of:*

*obtaining a plurality of execution traces, wherein each execution trace represents an execution instance of a procedure (e.g., FIG. 8, block 380 New Task? YES, block 385 Record New Task sequence, col.9: 37-65);*

*aligning said execution traces to identify corresponding steps between said execution traces (e.g., FIG. 9, aligning task sequences to identify Steps 1-n, col.10: 1-43); and*

*processing said aligned execution traces to create a reusable executable procedure associated with said procedure (e.g., FIG. 9-12, Smurf Detection task is created by said Steps 1-n, col.10: 44 – col.11: 56);*

*wherein said procedure can be automatically performed by invoking the reusable executable procedure (e.g., FIG. 2, within the GUI window 40a, Task List 43 includes a Smurf Detection Task button 42b to invoke the Smurf Detection Task, col.5: 52 – col.6: 12).*

**Claim 20:**

Messinger discloses *a system for providing technical support, comprising:*

*a client device comprising an application for monitoring and recording a procedure that is performed using said client device and generating an execution trace representing an instance of said procedure (e.g., FIG. 1, col.4: 58 – col.5: 51);*

*a procedure trace repository for storing execution traces (e.g., FIG. 2, Task List 43, col.5: 53 – col.6: 12; FIG. 5, block 100 and 82, a specific task include a list of steps, col.7: 1-38); and*

*a server processing a plurality of execution traces associated with instances of an executed procedure to generate a reusable executable procedure (e.g., FIG. 1, col.4: 58 – col.5: 51),*

*wherein said procedure can be automatically performed on the client by invoking the reusable executable procedure (e.g., FIG. 2, within the GUI window 40a, Task List 43 includes a Smurf Detection Task button 42b to invoke the Smurf Detection Task, col.5: 52 – col.6: 12).*

**Claim 26:**

Claim 26 is a program storage device version, which recites the same limitations as those of claim 1, wherein all claimed limitations have been addressed and/or set forth above. Therefore, as the reference teaches all of the limitations of the above claim, it also teaches all of the limitations of claim 26.

9. Claims 1, 20, and 26 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent Publication No. 2004/0130572 A1 to Bala (art made of record, hereinafter "Bala").

**Claim 1:**

Bala discloses *a computer implemented method for generating a reusable executable procedure, comprising the steps of:*

*obtaining a plurality of execution traces, wherein each execution trace represents an execution instance of a procedure (e.g., FIG. 4, block 458, Steps to execute as a plurality of execution traces, [0058]);*

*aligning said execution traces to identify corresponding steps between said execution traces (e.g., FIG. 4, block 410, aligning said steps in a specific task such as "Edit the path variable", [0056]; FIG. 5A-J, [0059-0073]); and*

*processing said aligned execution traces to create a reusable executable procedure associated with said procedure (e.g., FIG. 4, blocks 422-476, a selected task has associated steps aligned in said task, [0057-0058]);*

*wherein said procedure can be automatically performed by invoking the reusable executable procedure (e.g., FIG. 4, blocks 410 and 422, [0056-0057]; FIG. 5A-J, task "Edit the path variable" is executed by system 200, [0059]).*



**Claim 20:**

Bala discloses *a system for providing technical support, comprising:*

*a client device comprising an application for monitoring and recording a procedure that is performed using said client device and generating an execution trace representing an instance of said procedure (e.g., [0040-0041]);*

*a procedure trace repository for storing execution traces (e.g., FIG. 4, block 410, aligning said steps in a specific task such as "Edit the path variable", [0056]; blocks 422-476, a selected task has associated steps aligned in said task, [0057-0058]); and*

*a server processing a plurality of execution traces associated with instances of an executed procedure to generate a reusable executable procedure (e.g., [0048-0049]),*

*wherein said procedure can be automatically performed on the client by invoking the reusable executable procedure (e.g., FIG. 4, blocks 410 and 422, [0056-0057]; FIG. 5A-J, task "Edit the path variable" is executed by system 200, [0059]).*

**Claim 26:**

Claim 26 is a program storage device version, which recites the same limitations as those of claim 1, wherein all claimed limitations have been addressed and/or set forth above. Therefore, as the reference teaches all of the limitations of the above claim, it also teaches all of the limitations of claim 26.

10. Claims 1-9 and 26-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Horvitz (art of record, US Patent No. 6,260,035).

**Claim 1:**

Horvitz discloses *a method for generating a reusable executable procedure, comprising the steps of:*

*obtaining a plurality of execution traces, wherein each execution trace represents an execution instance of a procedure (e.g., FIG. 2, blocks 50-56, col.7: 29-51; FIG. 8, blocks 112-118, col.14: 60-67);*

*aligning said execution traces to identify corresponding steps between said execution traces (e.g., FIG. 2, blocks 52-58, col.7: 52-67; FIG. 8, block 104, col.15: 1-3); and*

*processing said aligned execution traces to create a reusable executable procedure associated with said procedure (e.g., FIG. 2, blocks 56-60, col.9: 18-32, col.10: 32-58; FIG. 8, block 106, col.15: 3-8).*

**Claim 2:**

The rejection of claim 1 is incorporated. Horvitz also discloses *the step of obtaining an execution trace comprises monitoring and recording a sequence of actions that are performed by an individual when executing an instance of said procedure (e.g., FIG. 2, block 50, col.7: 29-51).*

**Claim 3:**

The rejection of intervening claim 2 is incorporated. Horvitz also discloses *annotating at least one action that is performed when executing an instance of said procedure (e.g., FIG. 23, col.32: 56-67).*

**Claim 4:**

The rejection of claim 1 is incorporated. Horvitz also discloses *the step of obtaining one or more execution traces comprises retrieving said execution traces from a repository (e.g., FIG. 7, block 100 Atomic Events Source, block 102 Atomic Events Local Storage, col.12: 58 – col.13: 17).*

**Claim 5:**

The rejection of claim 1 is incorporated. Horvitz also discloses *the step of processing said aligned execution traces comprises generalizing said aligned execution traces to generate said reusable executable procedure (e.g., FIG. 2, blocks 56-60, col.9: 18-32, col.10: 32-58; FIG. 8, block 106, col.15: 3-8).*

**Claim 6:**

The rejection of intervening claim 5 is incorporated. Horvitz also discloses *the step of generalizing comprises generalizing branches of procedures, generalizing iterations of procedures, generalizing recovery from failure of procedures, or generalizing variables of procedures or any combination thereof* (col.9: 32-51; col.7: 52-65).

**Claim 7:**

The rejection of claim 1 is incorporated. Horvitz also discloses *said reusable executable procedure comprises a procedure for diagnosing hardware or software in a computer system* (e.g., FIG. 6, col.12: 27-44).

**Claim 8:**

The rejection of claim 1 is incorporated. Horvitz also discloses *the step of storing said reusable executable procedure in a library of reusable executable procedures* (e.g., FIG. 7, block 106, col.14: 24-37).

**Claim 9:**

The rejection of claim 1 is incorporated. Horvitz also discloses *the step of augmenting said reusable executable procedure using an execution trace that is obtained during execution of said reusable executable procedure* (e.g., col.7: 65 – col.8: 3; col.9: 4-17).

**Claims 26-29:**

Claims 26-29 are program storage device versions, which recite the same limitations as those of claims 1, 2, 5, and 9, respectively, wherein all claimed limitations have been addressed and/or set forth above. Therefore, as the reference teaches all of the limitations of the above claims, it also teaches all of the limitations of claims 26-29.

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11. Claims 10 and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by Mayuzumi (art of record, US Patent No. 6,134,644).

**Claim 10:**

Mayuzumi discloses *a method for executing a reusable procedure, comprising the steps of:*

*launching a reusable executable procedure (e.g., FIG. 16, col.20: 15-29; wherein FIG. 16 shows "a procedure of a control process carried out by the multi-media control unit 47 ...", col.20: 9-12, emphasis added);*

*automatically executing procedure steps associated with said reusable executable procedure (e.g., FIG. 16, the multi-media control unit 47 automatically carries out the procedure of said control process, S13-S17, col.20: 27: 60); and*

*relinquishing control of execution of said reusable procedure to a user, when a next step of said reusable executable procedure cannot be successfully executed (e.g., FIG. 16, S18, Are all troubles recovered? NO, and S19, Is there a click for a screen not in the gray-colored display?, col.21: 1-17, emphasis added).*

**Claim 30:**

Claim 30 is a program storage device version, which recites the same limitations as those of claim 10, wherein all claimed limitations have been addressed and/or set forth above. Therefore, as the reference teaches all of the limitations of the above claim, it also teaches all of the limitations of claim 30.

**Claim Rejections – 35 USC § 103**

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 10-19 and 30-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horvitz in view of Harel (art of record, US Patent No. 6,384,843).

**Claim 10:**

Horvitz discloses *a method for executing a reusable procedure, comprising the steps of:*

*launching a reusable executable procedure (e.g., FIG. 12, block 156, col.18: 49-52);*

*automatically executing procedure steps associated with said reusable executable procedure (e.g., FIGs. 17-18, col.23: 20-60); and*

*relinquishing control of execution of said reusable procedure to a user (e.g., FIGs 17-18, button Cancel).*

Horvitz does not explicitly disclose *relinquishing control of execution of said reusable procedure to a user, when a next step of said reusable executable procedure cannot be successfully executed.*

However, in an analogous art, Harel discloses *[relinquishing control of execution of said reusable procedure to a user,] when a next step of said reusable executable procedure cannot be successfully executed (e.g., FIGs. 105-108, col.26; 46-65).*

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine the teaching of Harel into that of Horvitz. One would have been motivated to do so to let the user review possible errors and last record action (FIG. 105) and/or identify a mode/parameter error (FIG. 106) as suggested by Harel.

**Claim 11:**

The rejection of claim 10 is incorporated. Horvitz also discloses:

*monitoring user actions while the user is executing steps of said reusable executable procedure (e.g., FIG. 2, blocks 50-56, col.7: 29-51; FIG. 8, blocks 112-118, col.14: 60-67); and*

*aligning said monitored user actions to said reusable procedure (e.g., FIG. 2, blocks 52-58, col.7: 52-67; FIG. 8, block 104, col.15: 1-3); and*

*continuing automatic execution of said reusable procedure, if said monitored steps align with said reusable procedure (e.g., FIG. 2, blocks 56-60, col.9: 18-32, col.10: 32-58; FIG. 8, block 106, col.15: 3-8).*

**Claim 12:**

The rejection of intervening claim 11 is incorporated. Horvitz also discloses *the step of continuing automatic execution comprises obtaining confirmation from the user to continue automatic execution of said reusable executable procedure (e.g., FIG. 2, blocks 56-60, col.9: 18-32, col.10: 32-58; FIG. 8, block 106, col.15: 3-8).*

**Claim 13:**

The rejection of intervening claim 11 is incorporated. Horvitz also discloses *comprising the step of using said monitored user actions to augment said reusable executable procedure (col.7: 65 – col.8: 3; col.9: 4-17).*

**Claim 14:**

The rejection of claim 10 is incorporated. Horvitz also discloses *the step of prompting a user for input for executing a step of said reusable executable procedure (e.g., FIG. 23, col.24: 54-62).*

**Claim 15:**

The rejection of claim 10 is incorporated. Horvitz also discloses:  
*describing a procedure step to the user (e.g., FIG. 14, block 179, col.20: 5-55); and*  
*automatically executing said procedure step, if execution of said procedure step is authorized by said user (e.g., FIG. 14, block 180, col.20: 55-58).*

**Claim 16:**

The rejection of claim 10 is incorporated. Horvitz also discloses:

*describing a plurality of procedure steps for selection by the user (e.g., FIG. 14, block 179, col.20: 5-55); and*

*automatically executing a procedure step selected by the user (e.g., FIG. 1, block 56, user action(s) includes atomic events, col.7: 29-67).*

**Claim 17:**

The rejection of intervening claim 15 is incorporated. Horvitz also discloses *the step of describing a procedure step to the user comprises displaying a previously recorded annotation associated with said procedure step* (e.g., FIG. 14, block 179, col.20: 5-55).

**Claim 18:**

The rejection of intervening claim 15 is incorporated. Horvitz also discloses *the step of describing a procedure step to the user comprises visually demonstrating said procedure step to the user* (e.g., FIG. 12, block 156, col.18: 41-52).

**Claim 19:**

The rejection of claim 10 is incorporated. Horvitz also discloses *the step of relinquishing control of execution of said reusable procedure to a user upon request of said user* (e.g., FIGs. 17-18, button Cancel).

**Claims 30-34:**

Claims 30-34 are program storage device versions, which recite the same limitations as those of claims 10-11, 15-16, and 19, respectively, wherein all claimed limitations have been addressed and/or set forth above. Therefore, as the reference teaches all of the limitations of the above claims, it also teaches all of the limitations of claims 30-34.

14. Claims 20-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horvitz in view of Sullivan (art of record, US Patent No. 6,615,240).

**Claim 20:**

Horvitz discloses *a system for providing technical support, comprising:*

*a client device comprising an application for monitoring and recording a procedure that is performed using said client device and generating an execution trace representing an instance of said procedure (e.g., FIGs. 8-9, col.14: 60 – col.15: 8; col.17: 42-62);*

*a procedure trace repository for storing execution traces (e.g., FIG. 8, block 106, col.17: 1-8); and*

*processing a plurality of execution traces associated with instances of an executed procedure to generate a reusable executable procedure (e.g., FIG. 7, block 104, col.13: 4-17).*

Horvitz does not explicitly disclose *a server [for processing a plurality of execution traces associated with instances of an executed procedure to generate a reusable executable procedure].*

However, in an analogous art, Sullivan further discloses *a server for processing a plurality of execution traces associated with instances of an executed procedure to generate a reusable executable procedure (e.g., FIG. 1, server 12, col.4: 56 col.5: 15).*

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine the teaching of Sullivan into that of Horvitz. One would have been motivated to do so to provide a dynamic, online, and guided self-help as suggested by Sullivan (e.g., col.2: 13-36).

**Claim 21:**

The rejection of claim 20 is incorporated. Horvitz also discloses *a library for storing reusable executable procedures (e.g., FIG. 7, block 106, col.14: 24-37).*

**Claim 22:**

The rejection of claim 20 is incorporated. Sullivan further discloses *the server distributes a reusable executable procedure to a client device comprising an execution*



*engine for executing said reusable executable procedure (e.g. FIG. 4, blocks 102 and 106, col.10: 5-22).*

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine the teaching of Sullivan into that of Horvitz. One would have been motivated to do so as set forth in claim 20 above.

**Claim 23:**

The rejection of intervening claim 22 is incorporated. Sullivan further discloses *said reusable executable procedure is executed for upgrading software residing on the client device (e.g., FIGs. 8-9, col.9: 56 – col.10: 5).*

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine the teaching of Sullivan into that of Horvitz. One would have been motivated to do so as set forth in claim 20 above.

**Claim 24:**

The rejection of intervening claim 22 is incorporated. Sullivan further discloses *said reusable executable procedure is executed for providing diagnostic support (e.g., FIG. 4, block 100, col.10: 1-6).*

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine the teaching of Sullivan into that of Horvitz. One would have been motivated to do so as set forth in claim 20 above.

**Claim 25:**

The rejection of intervening claim 22 is incorporated. Horvitz also discloses *an execution engine of a client device comprises means for allowing a user to manually execute at least a portion of said reusable executable device and generating an execution trace representing said manual execution, wherein said execution trace representing said manual execution is processed by said server to augment said reusable executable procedure (e.g., FIG. 16, col.22: 65 – col.23: 10).*

### Conclusion

15. Applicants' amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

16. Any inquiry concerning this communication should be directed to examiner Thuy Dao (Twee), whose telephone is (571) 272 8570. The examiner can normally be reached on the first Monday of the bi-week, and every Tuesday, Thursday, and Friday from 6:00AM to 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam, can be reached at (571) 272 3695.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273 8300.


Any inquiry of a general nature of relating to the status of this application or proceeding should be directed to the TC 2100 Group receptionist whose telephone number is (571) 272 2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

T. Dao



TUAN DAM  
SUPERVISORY PATENT EXAMINER